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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/737,549	12/18/2000	Cheng-Jen Lin	3313-0249P-SP	1515

7590 08/16/2004

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EXAMINER
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THOMPSON JR, FOREST

ART UNIT	PAPER NUMBER
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3625

DATE MAILED: 08/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/737,549

**Applicant(s)**

LIN ET AL.

**Examiner**

Forest Thompson Jr.

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 April 2004.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 7-17 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-5 and 7-17 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 18 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office Action (See Paper mailed 01/23/2004). The text of those sections of Title 35, U.S. Code not otherwise provided in a prior Office action will be included in this action where appropriate.

2. This action is responsive to the amendment filed on 04/19/2004. Applicant amended claims 1 and 14, and cancelled claim 6. Claims 1-5 and 7-17 are pending.

3. Claims 1-5 and 7-17 have been examined.

### ***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 states "the ATP server" in line 13. No antecedent basis is provided for this aspect. The claim should be changed to read "[the] an ATP server" in line 13 for correctness. Correction is required.

Claim 1 states "the HDI standards" in line 15. No antecedent basis is provided for this aspect. The claim should be changed to read "[the] HDI standards" in line 15 for

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correctness. Additionally, the term "HDI" is not defined in the claim. Correction is required.

***Claim Rejections - 35 USC § 103***

6. Claims 1-17 were rejected in the Paper mailed 01/23/2004 under 35 U.S.C. 103(a) as being unpatentable over Sharp et al. (U.S. Patent no. 6,263,317). Applicants' arguments have overcome the rejection. Therefore, examiner withdraws the rejection, and provides a revised rejection of all claims below.

7. **Prior art includes:**

Sharp teaches a computer system and method of operation thereof that allow manufacturers and distributors of brand products to participate in the e-commerce marketplace without violating existing distribution channels. This is accomplished by providing a web based system where customers can place orders for brand name products and then allocating orders to manufacturers, distributors and retailers according to distribution channel protocols defined by the manufacturers.

Guheen et al. teaches an invention that may be used to convey information regarding components of a network framework such as commerce-related services, content-related services, administration-related services, customer-related services, or education-related services.

Gleditsch et al. teaches a system and method of scheduling demand for a manufacturing resource in response to a customer order for a product. The system

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and method includes means for tracking scheduled finished goods orders, existing finished goods inventory, past due finished goods orders, unallocated customer orders and marketing orders, and the manufacturing lead time for the product, among other manufacturing process parameters. The customer order amount and the date requested for the order are entered, and depending on whether the date requested is inside, equal to or outside the manufacturing lead time, manufacturing resources are consumed from one or more of the scheduled finished goods orders, existing finished goods inventory, available to promise amounts, past due finished goods orders, unallocated customer orders, marketing orders, and high flex amounts.

The combination of Sharp and Guheen et al. and Sharp, Guheen et al. and Gleditsch et al. discloses applicants' claimed invention, as presented below.

8. Claims 1-5, 7-10 and 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sharp et al. (U.S. Patent no. 6,263,317), and further in view of Guheen et al. (U.S. Patent No. 6,721,713).

Claim 1: Sharp teaches:

- a customer ordering a commodity through a web page (col. 3 lines 7-39);
- transmitting the commodity ordering information to a collaboration server (col. 3 lines 7-39);

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- transmitting the commodity ordering information through the collaboration server to a plurality of enterprise resource planning (ERP) servers (col. 3 lines 7-39), which include:

- executing the integrated operation of the plurality of ERP servers to generate a customized table list (col. 6 lines 1-35); and

- returning the customized table list for the customer to confirm (col. 3 line 61 – col. 4 line 11).

Sharp does not explicitly teach a bill of materials module, a sales order module, a work order module, nor a product order module. However, Guheen et al. teaches:

- a bill of material (BOM) module, which configures the basic initial data to open product types and the BOM for manufacturing products (col. 48 line 57 – col. 49 line 13);

- a sales order (SO) module, which opens basic initial data, lists a customer-end price list, and has the function of automatically generating an SO (col. 170 line 29 – col. 171 line 45);

- a work order (WO) module, which automatically opens a WO, obtains material configuration information from the ATP server, and generates an E-mail to the customer, checking the preparation status of materials (fig. 66 [1502-1508]; fig. 72 [1802-1808]); and

- a product order (PO) module, which maintains the HDI standards (col. 181 lines 15-52).

Therefore, it would have been obvious to one skilled in the art at the time the invention was made to modify Sharp to explicitly teach a bill of materials module, a sales order module, a work order module, nor a product order module, as taught by Guheen et al., for the motivation of providing customers with the capability of ordering and configuring products of choice from inventories of components that satisfy the customers' needs and promote profitability through potential increased sales.

Claim 2: Sharp teaches the design of the web page includes a mechanism for checking the credit history of the customer and an electronic ordering system (EOS) (col. 3 line 61 – col. 4 line 11).

Claim 3: Sharp teaches the EOS provides a commodity catalog, commodity descriptions and commodity prices (col. 3 line 61 – col. 4 line 11).

Claim 4: Sharp teaches the collaboration server hyperlinks to the host supplier server of the commodity (col. 2 line 52 – col. 3 line 6).

Claim 5: Sharp teaches the plurality of ERP servers connect via an ERP backbone to servers that encompass a shop floor control system (SFCS) server, an available to promise (ATP) server, and a strategy support server (col. 2 line 52 – col. 3 line 44).

Claim 6: (Canceled)

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Claim 7: Sharp teaches an SFCS (a shop floor control system) back bone connecting to the data warehouse (WS) and server of the SFCS (col. 2 line 25 – col. 3 line 44).

Claim 8: Sharp teaches the SFCS server provides searches of the WOs (col. 6 lines 1-25).

Claim 9: Sharp teaches the ATP server is used to retrieve supply/demand status information from the ERP servers (col. 6 lines 1-35).

Claim 10: Sharp teaches the strategy support server provides the strategies and controls for the collaboration commerce (CC) (col. 2 lines 25-51).

Claim 12: Sharp teaches an HDI back bone connecting the supply chain of the host server, the supply chains of up-, mid-, downstream suppliers, and a hub (col. 2 line 25 – col. 3 line 39).

Claim 13: Sharp teaches the supply chain data are stored in each end machine (col. 2 line 25 – col. 3 line 39).

9. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sharp et al. (U.S. Patent no. 6,263,317), and further in view of Guheen et al. (U.S. Patent No. 6,721,713) and Official Notice.

Claim 11: Neither Sharp nor Guheen explicitly teaches the data format in the strategy support server can be stored and queued in the principle of first in first out (FIFO). However, Official Notice is taken that the data format in the strategy support



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server can be stored and queued in the principle of first in first out. This functionality promotes good customer relationships because the customers would not have to wait indefinite times for their orders to be processed. The orders would be processed on the basis of FIFO. Therefore, it would have been obvious to one skilled in the art at the time the invention was made to modify the teachings of Sharp and Guheen et al. to explicitly store and queue the data format in the strategy support server using the principle of first in first out, as taught by old and well known art, for the functionality of providing and scheduling expeditious processing of orders based on the when they are received.

10. Claims 14-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sharp et al. (U.S. Patent no. 6,263,317), and further in view of Guheen et al. (U.S. Patent No. 6,721,713) and Gleditsch et al. (U.S. Patent No. 6,393,332).

Claim 14: Claim 14 is written as a method and contains essentially the same limitations as claim 1; therefore, the same rejection is applied. Additionally, some aspects of claim 14 are not found in claim 1. These aspects are addressed below:

Neither Sharp nor Guheen teach transmitting the supply/demand information to an available to promise (ATP) server. However, Gleditsch teaches transmitting the supply/demand information to an available to promise (ATP) server (col. 3 line 61 – col. 4 line 6). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to modify the teachings of Sharp and Guheen to

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explicitly transmit the supply/demand information to an available to promise (ATP) server, as taught by Gleditsch, for the motivation of completing the processing an order and providing customer satisfaction through expeditious order processing.

Also, Sharp teaches:

- providing a confirmed sales order (SO) to the customer when the ATP server completes the supply/demand configuration (col. 3 line 61 – col. 4 line 11); and
- estimating an ATP date to the customer when the ATP server cannot complete the supply/demand configuration (col. 4 lines 9-11).

Neither Sharp nor Guheen teach transmitting the supply/demand information to an available to promise (ATP) server. However, Gleditsch teaches transmitting the supply/demand information to an available to promise (ATP) server (col. 3 line 61 – col. 4 line 6). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to modify the teachings of Sharp and Guheen to explicitly transmit the supply/demand information to an available to promise (ATP) server, as taught by Gleditsch, for the motivation of completing the processing an order and providing customer satisfaction through expeditious order processing.

Therefore, claim 14 is rejected.

Claim 15: Sharp teaches the customer's request information includes customer order confirmation information comprising a PO of the customer, a product and quantity ordered, a price and a currency exchange rate, a shipping method/charge, and an ordering date/shipping days/normal arrival date (col. 3 line 7 – col. 4 line 11).

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Claim 16: Claim 16 is written as a method and contains essentially the same limitations as claim 1; therefore, the same rejection is applied. Additionally, Guheen teaches the product supply information comprises a currency exchange rate (col. 175 line 37). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to modify the teachings of Sharp and Gleditsch to explicitly teach the product supply information comprises a currency exchange rate, as taught by Gleditsch, for the motivation of informing potential buyers of the cost of their purchases and encourage them to complete the transaction with known transaction costs.

Claim 17: Sharp teaches the order confirmation information further comprises configured result information (col. 3 lines 7-39).

### ***Response to Arguments***

11. Applicant's arguments with respect to claims 1, 6 and 14 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

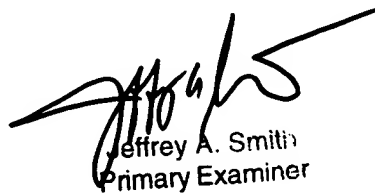
12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Forest Thompson Jr. whose telephone number is (703) 306-5449. The examiner can normally be reached on 6:30 AM-3:30 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (703) 308-1065. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

FT  
08/05/2004

  
Jeffrey A. Smith  
Primary Examiner